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TO:	PHONE #:	FAX #:
United States Patent and Trademark Office Examiner: Teresa Wessendorf Art Unit: 1645	(703) 308-1202	(703) 872-9306

From : Barry S. Wilson**Date :** April 7, 2005**Client/Matter No :** 068904-0507**User ID No :** 3067**MESSAGE:****Re:** U.S. Patent Application No. 10/783,950
Our Ref.: EPI3009 (068904-0507)**Attached please find:**

- Transmittal (1 pg.);
- Response to an Office Action (3 pgs.).
- Authorization to charge Deposit Acct. No. 50-0872 any fees due.

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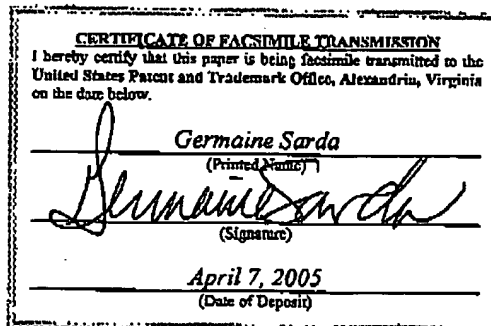
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Atty. Dkt. No. 068904-0507

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiatt et al.
Title: IMMUNOGLOBULIN BINDING
PROTEIN ARRAYS IN
EUKARYOTIC CELLS
Appl. No.: 10/783,950
Filing Date: 2/19/2004
Examiner: Teresa Wessendorf
Art Unit: 1645

**TRANSMITTAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following:

☒ Response to an Office Action (3 Pages).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date April 7, 2005By Barry S. Wilson

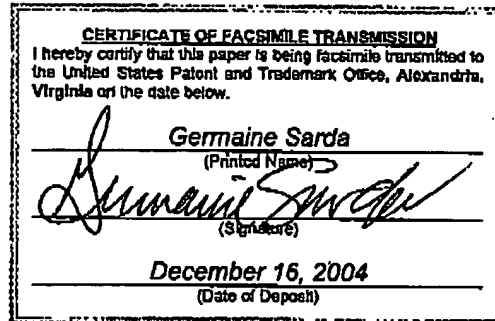
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Atty. Dkt. No. 068904-0507

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hlatt et al.
Title: IMMUNOGLOBULIN BINDING
PROTEIN ARRAYS IN
EUKARYOTIC CELLS
Appl. No.: 10/783,950
Filing Date: 02/19/2004
Examiner: Wessendorf, Teresa D.
Art Unit: 1639

**RESPONSE TO OFFICE ACTION****RECEIVED
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Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

APR 07 2005

Sir:

This communication is responsive to the Office Action mailed March 7, 2005.

The Office Action requests that Applicant make an election of species for "Group IV, as required on page 6 of the Office Action, 11/16/04."

However, Applicant respectfully points out that in the Applicant's response of December 6, 2004, **Group VI, claims 53-63** were elected, not Group IV. Thus, Applicant interprets the request in the Office Action of March 7, 2005 to require election of species for Group VI.

The request for a species election pertaining to the claims of Group VI is found in Office Action of November 6, 2004 at page 8. The Office Action sets forth three subgroups of Group VI from which election is required (subgroup 1, 2, and 3). Each are addressed separately.

Atty. Dkt. No. 068904-0507

The Office Action requirement for subgroup 1 of Group VI is as follows:

1. Elect a single species from (a) - (d) of the polypeptide sequence. If (b) or (c) is elected, a single species of either (i) or (ii).

Applicant understands this to be a request to identify a single polypeptide taking into account the options from (a) - (d). Technically speaking, (d) is not an option for a species since it refers to something being different rather than specify what it is. It is further noted that (a) - (c) refer to different characteristics of the same polypeptide. As for (a) - (c), Applicant believes that a single species with characteristics from (a) - (c) is what the examiner has requested as opposed to selecting a species from one of (a), (b) or (c). Accordingly, Applicant selects as the polypeptide species an IgA heavy chain. An IgA heavy chain reads under element (a) of claim 53 because it includes the alpha chain constant region tailpiece; reads under element (b)(ii) because an IgA heavy chain includes a variable region; and reads under element (c)(ii) because the IgA heavy chain can disulfide bond to another protein transformed in the cell (e.g. a J chain).

The Office Action requirement for subgroup 2 of Group VI is as follows:

2. Cell as recited in Group IV, (3) above.

It is unclear whether Applicant can elect a species of any of plant, insect or mammalian cell for subgroup 2 in view of the subgroup 3 (discussed below) which also refers to a species of plant cell. Nevertheless, Applicant elects a tobacco plant cell for subgroup 2.

The Office Action requirement for subgroup 3 of Group VI is as follows:

3. Plant cell, as recited above.

Applicant hereby elects a tobacco plant cell for subgroup 3.